APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/866,683	05/30/2001	Shoichi Iida	3377-0117P	6059

			EXAMINER
2292	7590	10/13/2004	NAWAZ, ASAD M

BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/866,683	IIDA, SHOICHI	
	Examiner	Art Unit	
	Asad M Nawaz	2155	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 May 2001</u>.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-7</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-7</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>30 May 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date 4/5/03, 12/2/03, & 5/3/04

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-7 are pending.

Drawings

2.   The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5)

because they do not include the following reference sign(s) mentioned in the

description: Figure 5, T9. Corrected drawing sheets in compliance with 37 CFR

1.121(d) are required in reply to the Office action to avoid abandonment of the

application. Any amended replacement drawing sheet should include all of the figures

appearing on the immediate prior version of the sheet, even if only one figure is being

amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the

page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing

figures. If the changes are not accepted by the examiner, the applicant will be notified

and informed of any required corrective action in the next Office action. The objection to

the drawings will not be held in abeyance.

3.   Figures 8 and 9 should be designated by a legend such as --Prior Art-- because

only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in

compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid

abandonment of the application. The replacement sheet(s) should be labeled

"Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct

any portion of the drawing figures. If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next Office

action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by

Rossmann et al. (US Patent No. 6,526,439).

As to claim 1, Rossmann et al teaches a text data receiving method in a portable

terminal which receives text data supplied from a predetermined server provided on an

information communication network via a gateway server provided on said information

communication network, comprising the steps of: storing all of the text data supplied

from said predetermined server into said gateway server; (Abstract; Figures 1, 4, 6-9;

col 3, 1-15; col 5, lines 15-27; col 6, lines 1-10)

dividing said all of the text data stored in the gateway server into a plurality of

page-segment text data by the number of characters that is allowed to be displayed on

said portable terminal; (col 5, lines 43-46)

and outputting said text data to said portable terminal in the form of said page-segment text data having the number of characters so divided. (col 7, lines 33-60; col 9, lines 23-26)

As to claim 2, Rossmann et al teaches a text data receiving method in a portable terminal according to claim 1 wherein: in response to an instruction from said portable terminal, said gateway server scrolls the pages and outputs the corresponding page to said portable terminal. (Abstract; Figs 1, 4, 6-9; col 9, lines 20-61; col 8, lines 4-5)

5.   Claims 3-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Kraft et al (US Patent No. 6,084,585)

As to claim 3, Kraft et al teaches a text data transmitting method in a portable terminal which transmits text data to be supplied to a predetermined server provided on an information communication network via a gateway server provided on said information communication network, comprising the steps of: providing a plurality of text input boxes with a Web browser installed on the portable terminal, and sequentially write the text data into said plurality of text input boxes; (Abstract; fig 1, col 3, lines 55-60; col 4, lines 15-23, 37-43, and 59-67;)

Upon completion of writing of all of the text data, sequentially reading out sets of sentences made of said text data from said respective text input boxes in order of time of input; outputting the sets of sentences to said gateway server; arranging the sets of sentences sequentially read out from said text input boxes in order of time of readout;

and outputting the arranged sets of sentences to said predetermined server as an uninterrupted text data. (col 3, lines 50-60; col 6, 10-42; col 7, lines 12-25; col 10, lines 15-55)

As to claim 4, Kraft et al teaches a text data transmitting method in a portable terminal according to claim 3 wherein: in case that a total number of characters written into said plurality of text input boxes exceeds a limitation of a total number of characters to be allowed to transmit from said portable terminal, the Web browser installed on said portable terminal performs the steps of: reading out sets of sentences most previously written into the text input box and outputting the sets of sentences to said gateway server; writing new sentences to follow into the text input box which has been emptied by said reading out; and subsequently repeating said reading out and writing until the writing of all of the text data is complete. (Abstract, figures 2-6; col 6, 10-42; col 9, lines 1-26)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rossmann et al. (US Patent No. 6,526,439) further in view of Kraft et al (US Patent No. 6,084,585).

As to claim 5, Rossmann teaches a text data transmitting/receiving method in a portable terminal which transmits text data to be supplied to a predetermined server via gateway server and receives text data supplied from said predetermined server via said gateway server, said predetermined server and said gateway server being provided on an information communication network, the method including a receiving method, the receiving method comprising the steps of: storing all of the text data supplied from said predetermined server into said gateway server; (Abstract; Figures 1, 4, 6-9; col 3, 1-15; col 5, lines 15-27; col 6, lines 1-10)

dividing said all of the text data stored in the gateway server into a plurality of page-segment text data by the number of characters allowed to be displayed on said portable terminal; (col 5, lines 43-46)

outputting said text data to said portable terminal in the form of said page-segment text date having the number of characters so divided. (col 7, lines 33-60; col 9, lines 23-26)

However, Rossmann et al does not teach the transmitting method.

Kraft et al teaches a transmitting method comprising the steps of: providing a plurality of text input boxes with a Web browser installed on the portable terminal; sequentially writing the text data into said plurality of text input boxes; (Abstract; fig 1, col 3, lines 55-60; col 4, lines 15-23, 37-43, and 59-67)

upon completion of the writing step of all of the text data, sequentially reading out sets of sentences made of said text data from said respective text input boxes in order of time of input; outputting the sets of sentences to said gateway server; arranging the

sets of sentences sequentially read out from said text input boxes in order of time of

read-out; and outputting the arranged sets of sentences to said to predetermined

server as a series of text data; (col 3, lines 50-60; col 6, 10-42; col 7, lines 12-25; col

10, lines 15-55)

It would have been obvious for one with ordinary skill in the art at the time of the

invention to incorporate the teachings of Kraft et al into those of Rossmann et al to

make the system complete and efficient. Rossmann et al teaches the receiving

method, while Kraft et al teaches the transmitting method. Both of their aims are to

allow the transmission of data "to the intended program to minimize the length of the

transmission and the amount of information to be transmitted" (Kraft, col 10, 53-56)

because "there is a great need for an efficient mechanism that brings to the desired

page without physically waiting for the delivery of every intermediate page in order to

move onto the next page" and do so without intensifying network traffic. (Rossmann,

col 2, lines 51-57)

As to claim 6, Rossmann et al teaches a text date transmitting/receiving method

in a portable terminal according to claim 5 wherein: in response to an instruction from

said portable terminal, said gateway server scrolls the pages and outputs the

corresponding page to said portable terminal. (Abstract; Figs 1, 4, 6-9; col 9, lines 20-

61; col 8, lines 4-5)

As to claim 7, Kraft et al teaches a text date transmitting/receiving method in a

portable terminal according to claim 5 wherein: in case that a total number of

characters written into said plurality of text input boxes exceeds a limitation of a total

number of characters to be allowed to transmit from said portable terminal, the Web

browser installed on said portable terminal performs the steps of: reading out sets of

sentences most previously written into the text input box and outputting the sets of

sentences to said gateway server; writing new sentences to follow into the text box

which has been emptied by said read out; and subsequently repeating said reading

out and writing until the writing of all the text data is complete. (Abstract, figures 2-6;

col 6, 10-42; col 9, lines 1-26)

Conclusion

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Asad M Nawaz whose telephone number is (703) 305-

0094 and can be reached at (571) 272-3988 after October 19, 2004. The examiner can

normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (703) 308-6662. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

AMN

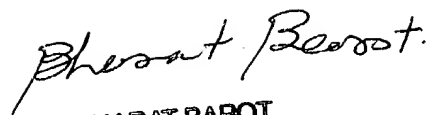BHARAT BAROT
PRIMARY EXAMINER